

CHAPTER 6 MIXED USE DISTRICTS

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600 GENERAL PROVISIONS (CR)

- 600.1 The purpose of the Mixed Use (CR) zone district shall be to encourage a diversity of compatible land uses, which may include a mixture of residential, **office**, retail, recreational, light industrial, and other miscellaneous uses.
- 600.2 Development shall be guided by an approved public policy or plan and through the use of the planned unit development, special exception, or other site plan review process.
- 600.3 By the use of the public review and planning powers, the provisions of this chapter also shall be intended to do the following:
- (a) Help create major new residential and mixed use areas in planned locations at appropriate densities, heights, and mixtures of uses;

- (b) Encourage the preservation and rehabilitation of structures of historic or architectural merit in the District;
 - (c) Encourage areas devoted primarily to pedestrians by separating pedestrian and vehicular circulation patterns and by requiring off-street parking spaces in accordance with this objective and with the objectives of specific area plans;
 - (d) Encourage flexibility in architectural design and building bulk; Provided, that the designs and building bulk shall be compatible and harmonious with adjoining development over the CR district as a whole;
 - (e) Make recreation areas more accessible to the CR district's residents and visitors; and
 - (f) In a variety of ways, create environments conducive to a higher quality of life and environment for residents, businesses, employees, and institutions in the District of Columbia as specified in District plans and policies.
- 600.4 The CR district shall be applied to selected geographic areas where a mixture of uses and building densities is intended to carry out elements of the city's development plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality.
- 600.5 A CR district may be located on the periphery of the Central Employment Area.
- 600.6 In certain of these areas, as designated now or in the future by public plans and policies, a mixture of uses and building densities shall be intended to promote and protect the public health, safety, convenience, order, prosperity, and general welfare of the community as best accomplished by the CR district.
- 600.7 Except as provided in chapters 23 through 25 of this title, in the CR district, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used, except for one (1) or more of the uses listed in §§601 through 618.
- 601 USES AS A MATTER OF RIGHT (CR)
- 601.1 The following uses shall be permitted as a matter of right in a CR district:
- (a) Dwelling, flat, or multiple dwelling;
 - (b) Rooming or boarding house;
 - (c) Community center;
 - (d) Hotel or inn;

- (e) Church or other place of worship;
- (f) Retail sales or services not specified in §602 and §§605 through 618;
- (g) Office;
- (h) Private school or trade school;
- (i) Private club, restaurant, fast food restaurant, or food delivery service;
Provided, that a fast food restaurant or food delivery service shall not include a drive-through;
- (j) Artist's studio;
- (k) Private or public theater;
- (l) Boat club or marina;
- (m) Swimming pool;
- (n) Recreational building or use;
- (o) Park or open space;
- (p) Library;
- (q) Museum;
- (r) Embassy, chancery, or international organization: and
- (s) Antenna, subject to the standards and procedure which apply to the particular class of antenna pursuant to 9201.2 through 201.7.

601.2 In addition to the uses provided in §601.1, the following uses also shall be permitted as a matter of right in a CR district:

- (a) Certain Community-Based Residential Facilities, as limited by the following:
 - (1) Youth residential care home, community residence facility, or health care facility for not more than six (6) persons, not including resident supervisors or staff and their families; or for not more than eight (8) persons, including resident supervisors or staff and their families;
Provided, that the number of persons being cared for shall not exceed six (6); and
 - (2) Emergency shelter for not more than four (4) persons, not including resident supervisors or staff and their families;
- (b) Youth residential care home, community residence facility, or health care facility for five (7) to fifteen (15) persons, not including resident supervisors

or staff and their families; Provided, that there shall be no property containing an existing community-based residential facility for seven (7) or more persons in the same square and that there shall be no property containing an existing community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property; and

- (c) Child/elderly development center.
- 601.3 Accessory uses (including parking), accessory buildings, or accessory structures customarily incidental and subordinate to the principal uses permitted in §§601.1 and 601.2 shall be permitted as a matter of right in a CR district.
- 601.4 Subject to the provisions of §2501, mechanical amusement machines shall be permitted as a matter of right in a CR district as accessory uses to the following uses:
- (a) Hotel or inn;
 - (b) Retail sales or services not specified in §602 and §§605 through 618;
 - (c) Restaurant, or private club;
 - (cl) Boat club or marina;
 - (e) Bowling alley; and
 - (f) College or university.
- 601.5 A child development home shall be permitted as a matter of right as an accessory use in a CR district; Provided, that the dwelling unit in which the child development, home is located shall be the principal residence of the caregiver, and the use shall otherwise meet the definition of a home occupation.
- 601.6 An elderly day care home shall be permitted as a matter of right as an accessory use in a CR district; Provided, that the dwelling unit in which the home is located shall be the principal residence of the caregiver, and the use shall otherwise meet the definition of a home occupation.
- 602 PROHIBITED USES (CR)
- 602.1 The following uses shall be specifically prohibited in CR districts:
- (a) Animal hospital or veterinarian;
 - (b) Car wash, as a principal use;
 - (c) Chemical manufacturing, storage or distribution;

- (d) Drive-in establishment (any establishment where goods or services are rendered directly to occupants of motor vehicles while in the vehicles);
- (e) Enameling, plating, or painting (except artist's studio), as a principal use;
- (f) Material salvage;
- (g) Outdoor advertising or billboard as a principal use;
- (h) Outdoor material storage;
- (i) Packing or crating operations as a principal use;
- (j) Parking lot;
- (k) Gasoline service station;
- (l) Smelting or rendering;
- (m) Carting, express, moving, or hauling terminal or yard, except a cooperative central delivery or pick-up system for goods or merchandise solely to serve businesses in the area;
- (n) Any industrial use prohibited in an M district;
- (o) Any use first permitted in the M district;
- (p) Any establishment that has as a principal use the administration of massages; and
- (q) Sexually-oriented business establishment.

603 - 604 [RESERVED]

605 PLANNING OFFICE REVIEW (CR)

- 605.1 Wherever the provisions of §§606 through 618 require referral of an application to the Office of Planning for coordination, review, and report, the coordination, review, and report shall consider the following:
- (a) Whether the proposed use furthers the objectives of the Mixed Use district;
 - (b) The relationship of the proposed use to other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of other departments and agencies of the District government;

- (c) The impact of the proposed site plan on neighboring properties;
- (d) The proposed site plan, including the relationship of different uses on the site; and
- (e) Any other matters that are within the Office's jurisdiction.

605.2 Wherever the provisions of §§606 through 618 require referral of an application by the Office of Planning to the D.C. Department of Public Works, the report by the Department of Public Works to the Office of Planning shall include the following matters related to transportation and the environment:

- (a) Considerations of the traffic to be generated and its impact;
- (b) The location and design of vehicular access and parking facilities;
- (c) The number of parking and loading facilities;
- (d) The treatment of public space;
- (e) The availability of sewer and water capacity;
- (f) The impact on air quality;
- (g) The potential noise from commercial, industrial, and traffic sources; and
- (h) Any other matters that are within the Department's jurisdiction.

606 **HOSPITALS AND CLINICS (CR)**

606.1 Hospital or clinic use shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.

606.2 The hospital or clinic use shall be located so that it is not likely to become objectionable to surrounding and nearby property because of noise, traffic, or parking.

606.3 There shall be a demonstrated need for the facility.

606.4 The applicant shall submit to the Board a detailed plan for the hospital or clinic and accessory facilities, showing the following:

- (a) Location, height, and bulk of all improvements, including but not limited to buildings, parking and loading facilities, screening, signs, and public utility facilities; and

(b) A description of the activities to be carried on at the hospital or clinic, including the capacities of the various facilities within the hospital or clinic,

606.5 Before taking ~~final~~ action on an application for hospital or clinic use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report.

606.6 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, as well as other departments and agencies of the District government as appropriate.

606.7 Before taking ~~final~~ action on an application for hospital or clinic use, the Board shall refer the application to the Office of Planning for review and report by the Department of Human Resources on the need for the facility as well as the specific design of the facility.

607 [DELETED]

608 UTILITIES (CR)

608.1 Use as an electric substation, natural gas regulator station, public utility pumping station, or telephone exchange, shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in ~~§3108~~ of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.

608.2 The Board may impose any requirements for setbacks, screening, or other safeguards that it deems necessary for protection of the neighborhood.

~~609~~ BOWLING ALLEYS (CR)

609.1 Use as a bowling alley shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions ~~specified~~ in ~~§3108~~ of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.

609.2 Bowling alley use shall not be within twenty-five feet (25 ft.) of a residence district unless separated from the district by a street or alley.

609.3 Soundproofing to the extent deemed necessary for the protection of adjoining and nearby property shall be required.

- 609.4 Accessory off-street parking spaces shall be required on the basis of a place of public assemblage as provided in §2101.1.
- 609.5 Before taking final action on an application for bowling alley use, the Board shall refer the application to the Office of Planning and Development for coordination, review, and report.
- 609.6 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, and of other departments and agencies of the District as appropriate.
- 609.7 The Board may impose requirements pertaining to design, appearance, screening, lighting, additional off-street parking spaces, signs, or any other requirements as it deems necessary for the protection of neighboring or adjacent property.
- 610 MANUFACTURING AND PROCESSING (CR)
- 610.1 Use for light manufacturing, processing, fabricating, or milling shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions this section.
- 610.2 Use for light manufacturing, processing, fabricating, or milling shall comply with the standards of external effects for C-M districts contained in §804 of chapter 8 of this title and, further, shall have no adverse effects on other uses on the same or adjoining properties.
- 610.3 Use for light manufacturing, processing, fabricating, or milling shall not result in dangerous or otherwise objectionable traffic conditions.
- 610.4 There shall be adequate off-street parking for trucks and other service vehicles.
- G10.5 There shall be no outdoor storage of materials.
- 610.6 The Board may impose requirements pertaining to design, appearance, or screening, or any other requirements that it deems necessary for the protection of neighboring or adjacent property.
- 610.7 Before taking final action on an application for use for light manufacturing, processing, fabricating, or milling, the Board shall refer the application to the Office of Planning for coordination, review, and report.
- G10.3 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, and other departments and agencies of the District as appropriate.

611 WAREHOUSES AND WHOLESALE (CR)

- 611.1** Warehouse or wholesale use shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3 108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of §610 of this chapter.

SOURCE: §4502.36 of Regulations effective May 12, 1958.

612 BUILDING SERVICE TRADES (CR)

- 612.1** **Use** for building service trade, including but not limited to plumber, electrician, exterminator, or air conditioning mechanic, shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions 610 of this chapter.

613 RESEARCH AND TESTING (CR)

- 613.1** **Use** for experimental research or testing laboratory use shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3 108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of §610 of this chapter.

614 VEHICLE SALES AND REPAIR (CR)

- 614.1** Use for automobile or motorcycle sales or repair shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.
- 614.2** Use for vehicle sales or repair shall be located so that it is not objectionable to other uses on the same or neighboring property because of noise, fumes, or other conditions.
- 614.3** Use for vehicle sales or repair shall not result in dangerous or otherwise objectionable traffic conditions.
- 614.4** The use for vehicle sales or repair, and all its accessory facilities, including automobile storage, shall be located within a building.

- 614.5 No portion of a building use for vehicle sales or repair shall be used within fifty feet (50 ft.) of a Residence district or Special Purpose district.
- 614.6 The Board may impose additional requirements pertaining to location of buildings or other structures, entrances, exits, or soundproofing, or other requirements as the Board deems necessary to protect adjacent or nearby property.
- 614.7 Before taking final action on an application for use for vehicle sales or repair, the Board shall refer the application to the Office of Planning for coordination, review, and report.
- 614.8 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, and of other departments and agencies of the District as appropriate.

615 **COLLEGES AND UNIVERSITIES (CR)**

- 615.1 College or university use shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in ~~§3108~~ of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.
- 615.2 The college or university use shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, or number of students, or other objectionable conditions.
- 615.3 The applicant shall submit to the Board a plan for developing the campus as a whole, showing the location, height, and bulk, where appropriate, of all present and proposed improvements; including, but not limited to buildings, parking and loading facilities, screening, signs, streets, and public facilities, athletic and other recreational facilities, and a description of all activities conducted or to be conducted in the facilities, and of the capacity of all present and proposed campus development.
- 615.4 Within a reasonable distance of the college or university campus, and subject to compliance with the provisions of ~~§615.2~~ and §3108, the Board may also permit the interim use of land or improved property with any use that the Board may determine is a proper college or university function.
- 615.5 Before taking final action on an application for college or university use, the Board shall refer the application to the Office of Planning and Development for coordination, review, and report.
- 615.6 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, and of other departments and agencies of the District as appropriate.

616 COMMUNITY-BASED RESIDENTIAL FACILITIES (CR)

616.1 The following categories of uses as a community-based residential facility shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that the use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.

- (a) Youth residential care home or community residence facility for sixteen (16) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §358 of chapter 3 of this title;
- (b) Health care facility for sixteen (16) to three hundred (300) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §359;
- (c) Emergency shelter for five (5) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §358; and
- (d) Youth rehabilitation home, adult rehabilitation home, or substance abusers' home for one (1) to twenty (20) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §§358.2 through 358.7.

617 ANTENNAS (CR)

617.1 An antenna shall be permitted as a special exception in the CR district, if approved by the Board of Zoning Adjustment subject to the standards and procedures which apply to the particular class of antenna under §211 or §212.

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618 MISCELLANEOUS USES (CR)

618.1 Other uses not specified in §601 and not prohibited by §602 shall be permitted in a CR district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, if the Board considers that this use is appropriate in furthering the objectives of the Mixed Use districts, subject to the provisions of this section.

618.2 Uses authorized under this section shall not adversely effect the present character and future development of the neighborhood.

- 618.3 No dangerous or otherwise objectionable traffic conditions shall result from the establishment of any miscellaneous use.
- 618.4 The Board may impose requirements pertaining to the design, appearance, screening, or any other requirements that it deems necessary for the protection of neighboring or adjacent property.
- 618.5 Before taking final action on an application for any miscellaneous use, the Board shall refer the application to the Office of Planning for coordination review, and report.
- 618.6 The report of the Office of Planning shall include the reports and recommendations of the D.C. Department of Public Works, and of other departments and agencies of the District as appropriate.

619 - 629 [RESERVED]

630 HEIGHT OF BUILDINGS OR STRUCTURES (CR)

- 630.1 Except as provided in this section, the height of buildings and structures shall not exceed ninety feet (90 ft.).
- 630.2 Freestanding, primarily ground-supported signs shall not exceed twenty feet (20 ft.) in height.
- 630.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this section otherwise authorizes.
- 630.4 If housing for mechanical equipment, a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows:
 - (a) It shall meet the requirements of §411;
 - (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located; and
 - (c) It shall not exceed eighteen feet six inches (18 ft. 6 in.) in height above the roof upon which it is located. Mechanical equipment shall not extend above the permitted eighteen foot six inch (18 ft. 6 in.) height of the housing.

- 630.5 Housing for mechanical equipment, a stairway or elevator penthouse may be erected to a height in excess of that authorized in the district in which located.

631 FLOOR AREA RATIO (CR)

- 631.1 In the CR district, the floor area ratio of all buildings and structures on a lot shall not exceed six (6.0), not more than three (3.0) of which may be used for other than residential purposes.
- 631.2 For the purposes of this section, the term “residential purposes” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels.
- 631.3 For the purposes of this section, the allowable residential and non-residential bulk of a CR district may be apportioned between two (2) or more lots in the same square, regardless of the normal limitation on floor area; Provided, that the aggregate residential and non-residential floor area may not exceed the normal limits for the CR district.
- 631.4 A covenant running with the land and applicable to all properties involved in the apportionment shall be executed by all of the owners of the properties and the District government prior to the issuance of any building permits. The covenant shall be for the purpose of insuring that the total floor area does not exceed the limits applicable to residential and non-residential uses.

632 [DELETED]

633 REQUIRED PUBLIC SPACE AT GROUND LEVEL (CR)

- 633.1 An area equivalent to ten percent (10%) of the total lot area shall be provided for all new development.
- 633.2 The area for new development shall be located immediately adjacent to the main entrance to the principal building or structure on the lot, and shall serve as a transitional space between the street or pedestrian right-of-way and the building or structure.
- 633.3 The area for new development shall be open to the sky or have a minimum vertical clearance of one (1) story or ten feet (10 ft.).

- 633.4 The area shall be suitably lighted and landscaped for public use, and may be utilized for temporary commercial displays.
- 633.5 The space shall be open and available to the general public on a continuous basis.
- 633.6 The area shall not be charged against the gross floor area of the building.

634 PERCENTAGE OF LOT OCCUPANCY (CR)

- 634.1 No structure, including accessory buildings, devoted to residential use shall occupy more than seventy-five percent (75%) of the lot upon which it is located.
- 634.2 For the purposes of this section, the percentage of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin.
- 634.3 For the purposes of this section, “residential uses” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

635 PRIVATE RESIDENTIAL RECREATION SPACE (CR)

- 635.1 Private residential recreation space shall be that space suitably equipped and devoted to active or passive recreation for the residents of a particular residential building or structure.
- 635.2 Private residential recreation space may be located at ground level, on or above the residential plane, on rooftops, or within the building or structure; Provided, that seventy percent (70%) of the total of this space shall be open to the sky.
- 635.3 An area equal to fifteen percent (15%) of the gross floor area devoted to residential purposes shall be provided as private residential recreation. space.
- 635.4 For the purposes of this section, “residential purposes” shall include dwellings, flats, multiple dwellings, rooming and boarding houses, and community-based residential facilities.

636 REAR YARDS (CR)

- 636.1 A rear yard shall be provided for each residential building or structure.
- 636.2 When the residential use begins at or below grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the mean

finished grade at the middle of the rear of the structure to the highest point of the main roof, but not less than twelve feet (12 ft.).

636.3 When the residential use begins above grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the horizontal plane upon which the residential use begins to the highest point of the main roof, but not less than twelve feet (12 ft.).

636.4 The rear yard under §636.3 shall be provided at and above the residential plane.

636.5 In the case of a through lot or a corner lot abutting three (3) or more streets, no rear yard shall be required for any building or structure.

636.6 For the purposes of this section, “residential building or structure” shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, hotels, inns, and community-based residential facilities.

637 SIDE YARDS (CR)

637.1 No side yard shall be required for any structure located in a CR district.

637.2 If a side yard is provided, its minimum width shall be three inches per foot (3 in./ft.) of height of building, but not less than eight feet (8 ft.).

638 COURTS (CR)

638.1 Where an open court is provided in a CR district, the court shall have the following minimum dimensions:

(a) Residential building Three inches per foot (3 in./ft.) of height of court, but not less than ten feet (10 ft.); and

(b) Hotel and other Two and one-half inches per foot (2½ in./ft.) of height of court, but not less than six feet (6 ft.).

638.2 Where a closed court is provided in a CR district, the court shall have the following minimum dimensions:

(a) Residential building Width: Four inches per foot (4 in./ft.) of height of court, but not less than fifteen feet (15 ft.);

Area: Twice the square of the required width of court dimension; and

(b) Hotel and other

Width: Two and one-half inches per foot permitted building ($2\frac{1}{2}$ in./ft.) of height of court, but not less than twelve feet (12 ft.);

Area: Twice the square of the required width of court dimension.

638.3 For the purposes of this section, “residential building” shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

638.4 In the case of a building devoted to both residential and non-residential uses, the minimum width and area of a court shall be computed as follows:

(a) When the residential and non-residential uses are located on different floors of the building, the width and area requirements shall be computed for each use at the plane of each floor of the building; and

(b) When the residential and non-residential uses are located on the same floor of the building, the width and area requirements for that plane shall be computed based on the requirements for residential buildings set forth in §§638.1 and 638.2.

638.5 No required opening for the admission of light and natural ventilation shall open onto a court niche where the ratio between the width of court niche and the depth of court niche is less than two to one (2:1).

638.6 No portion of a court niche shall be farther than three feet (3 ft.) from a point where the court niche is less than three feet (3 ft.) in width.

639 ROOF STRUCTURES (CR)

639.1 The provisions of §411 shall apply to roof structures in the Mixed Use (CR) districts.

639.2 The gross floor area of roof structures permitted under this section shall not be counted in determining the required number of off-street parking spaces or loading berths as required elsewhere in this chapter.

699 DEFINITIONS

699.1 The provisions of §199 of chapter 1 of this title, and the definitions set forth in that section, shall be incorporated by reference in this section.